

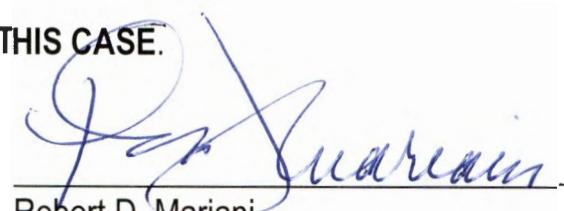
THE UNITED STATES DISTRICT COURT
FOR THE MIDDLE DISTRICT OF PENNSYLVANIA

JONATHAN JERMAIN CORREA, :
Plaintiff, : CIVIL ACTION NO. 3:22-CV-863
: (JUDGE MARIANI)
: (Magistrate Judge Carlson)
v. :
JOSEPH JANCZAK, :
Defendant. :
:

ORDER

AND NOW, THIS 25th DAY OF JULY 2022, upon review of Magistrate Judge Martin C. Carlson's Report and Recommendation ("R&R") (Doc.7) for clear error or manifest injustice, **IT IS HEREBY ORDERED THAT:**

1. The R&R (Doc. 7) is **ADOPTED as modified**. The Court adopts the R&R for the reasons set forth therein except that the Court dismisses the Complaint (Doc. 1) without prejudice to Plaintiff filing an amended complaint upon completion of his state court proceedings rather than allowing him leave to amend now and, upon the filing of an amended complaint, staying the case pending completion of his state court criminal proceedings (see Doc. 7 at 9).
2. Plaintiff is **conditionally GRANTED** leave to proceed *in forma pauperis*.
3. Plaintiff's Complaint (Doc. 1) is **DISMISSED WITHOUT PREJUDICE**.
4. The Clerk of Court is directed to **CLOSE THIS CASE**.



Robert D. Mariani
United States District Judge